

REMARKS

This Amendment is in response to the Office Action dated January 10, 2007. Claims 1, 6, 15 and 21 have been amended, and Claim 14 is canceled. Claims 18-20 are withdrawn. Claims 1-8, 10-11, 13, 15-17, and 21-23 are presently pending. No new matter has been added. For the reasons discussed in detail below, Applicant submits that the pending claims are patentable over the art of record and respectfully request that the Examiner pass this application to issue.

Claims Rejections under 35 U.S.C. § 112

Claim 14 is rejected under 35 U.S.C. 112, first paragraph, as failing to comply with the written description requirement.

Claim 14 is rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention.

Cancellation of Claim 14 obviates these rejections.

Claim Rejections under 35 U.S.C. § 102

Claims 1, 4, 6, 8, 16, 17, 21, and 22 are rejected under 35 U.S.C. 102(b) as being anticipated by Julien (U.S. Patent 6,293,020). This rejection is respectfully traversed.

Julien discloses a knife with a sharp, double-edged blade, having cutting edges formed for example by grinding to a taper of about 5 degrees to 10 degrees, as shown in Figure 33 and described in Julien at C15/L18-26. The external shape of Julien's blade has external angles that exceed 270 degrees. For example, the adjacent faces 388 shown in Figure that form Julien's cutting edge have a minimum external angle of $360 - (10 + 10) = 340$ degrees. In other words, each face 388 forms a 10 degree acute angle with the central or axial line that extends from one cutting edge

to the other, as shown in Figure 33, and thus the minimum external angle between adjacent or intersecting faces 388 is 340 degrees.

Accordingly, Julien fails to disclose or suggest a sealant tool including *“an elongated applicator portion being fixed at one end to the handle and transitioning linearly outward from the handle along a longitudinal axis of the handle and the applicator portion, and further transitioning towards a single free end tip having a substantially spline radius, and wherein a thickness of the applicator portion decreases from the longitudinal axis towards lateral edges of the applicator portion, the exterior shape of the applicator portion is symmetrically convex about the longitudinal axis with **external angles formed by adjacent external surfaces of the applicator portion being less than or equal to 270 degrees**, and the lateral edges each comprise a surface that is perpendicular to a plane encompassing the longitudinal axis and the substantially spline radius”*, recited for example in Claim 1, and similar features recited in Claim 21.

Julien further fails to disclose or suggest that *“the lateral edges each comprise a surface that is perpendicular to a plane encompassing the longitudinal axis and the substantially spline radius”*, as recited in Claim 1 and similar features recited in Claim 21. This feature encompasses the “edges” 118 shown in Figure 4 of the present application, which are flat. This sharply contrasts with Julien’s cutting edges shown in Figure 33, which are sharp. Julien’s surfaces 388 do not disclose or suggest the edges 118 shown in Figure 4 of the present application, because Julien’s surfaces 388 are not perpendicular to a plane encompassing a longitudinal axis and a radius of the tip of Julien’s blade.

Applicant notes that Julien’s blade embodiment shown in Figures 1-3 is not symmetric about a longitudinal axis of the blade because of the serrations 44.

For at least these reasons, withdrawal of the rejection of Claims 1, 4, 6, 8, 16, 17, 21, and 22 under 35 U.S.C. 102(b) over Julien is respectfully requested.

Claims 2, 3, 7, 10, 11, 13, 15 and 16 are rejected under 35 U.S.C. 103(a) as being unpatentable over Julien as applied to claim 1 above, and further in view of Arnett (U.S. Design Patent No. D31965).

Arnett and Cacossa fail to overcome the deficiencies of Julien described above with respect to the independent claims. Withdrawal of the rejections under 35 U.S.C. § 103(a) is therefore respectfully requested.

By the foregoing explanations, Applicants believe that this response has responded fully to all of the concerns expressed in the Office Action, and believe that it has placed each of the pending claims in condition for immediate allowance. Early favorable action in the form of a Notice of Allowance is urged. Should any further aspects of the application remain unresolved, the Examiner is invited to telephone Applicants' attorney at the number listed below.

Respectfully submitted,

{S:\20108\0200867US0\80104474.DOC [REDACTED]}